

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARCY ALTMAN-GUBERNIKOFF and  
GEORGE GUBERNIKOFF, M.D.,

Plaintiffs,

- against -

ALAN GARELY, M.D., MOUNT SINAI  
SOUTH NASSAU f/k/a SOUTH NASSAU  
COMMUNITIES HOSPITAL, JOHN DOE,  
M.D., AMERICAN MEDICAL SYSTEMS,  
AMERICAN MEDICAL SYSTEMS  
HOLDINGS, INC., ENDO  
PHARMACEUTICALS, INC., ENDO  
PHARMACEUTICALS HOLDINGS, INC.,  
and ENDO HEALTH SOLUTIONS, INC.,

Defendants.

**ORDER**

20 Civ. 4913 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

Defendants American Medical Systems, Dr. Alan Garely, and Mount Sinai South Nassau have filed pre-motion letters seeking permission to move to dismiss. (Dkt. Nos. 14, 16, 17) As discussed in this Court's Order denying Plaintiffs' remand motion (Dkt. No. 40), the Complaint is deficient in several respects. Plaintiffs may file an Amended Complaint addressing the deficiencies. Any Amended Complaint will be filed by **March 26, 2021**.

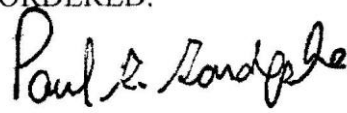
If no Amended Complaint is filed by March 26, 2021, the Court will set a briefing schedule concerning Defendants' proposed motions to dismiss. In the event that an Amended Complaint is filed by March 26, 2021, Defendants will – **by April 2, 2021** – submit letters stating whether they wish to renew their applications to file motions to dismiss.

Defendants' letters should include a proposed briefing schedule that has been discussed with

Plaintiffs' counsel.

Dated: New York, New York  
March 19, 2021

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive, flowing style. The first letter "P" is large and loops around the "G". The "G" is also large and loops around the "A". The "R" is tall and thin. The "D" is a simple loop. The "E" is a simple horizontal stroke. The "P" at the end is a simple loop.

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Paul G. Gardephe  
United States District Judge